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S&H Form: (2/01)  
DOCKET NO. 1454.1650

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Volker BREUER et al.

Serial No: 10/557,612

Group Art Unit: 2618

Confirmation No. 4518

Filed: November 22, 2005

Examiner: (Unassigned)

For: METHOD FOR OPERATING A MOBILE RADIO TELEPHONE SYSTEM, MOBILE  
RADIO TELEPHONE SYSTEM AND BASE STATION

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the Number of Drawings, City of the first inventor, Spelling of the second inventor's last name, the third and fourth inventors, the Assignment for Published Patent Application, and the Power of Attorney information on the Official Filing Receipt be corrected. The correct Number of Drawings is 1. The correct city for the first inventor is **Bötzow**. The correct spelling of the second inventor's last name is **Charpentier**. The third inventor should be inserted to reflect: **Jörg GUSTRAU** of **Berlin, Germany** and the fourth inventor should be inserted to reflect: **Carsten MÜLLER-SCHWANNEKE** of **München, Germany**. Munich, the name used for München in English may be used in place of München. Assuming umlauts cannot be printed on the Filing receipt, conventional transliteration should be used by adding the letter "e" after the vowel the umlaut accents, e.g., "Joerg" in place of "Jörg" and "Mueller" in place of "Müller". The Assignment for Published Patent Application should be inserted to reflect: **Siemens Aktiengesellschaft, Munich, Germany**. The correct Power of Attorney information is **The patent practitioners associated with customer number 21171**. This information is evidenced by a copy of the Executed Declaration, a copy of the Application Transmittal, a copy of the Assignment, and a copy of Figure 1, attached to the application as filed.

For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt on which the errors have been noted in red.



For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt on which the errors have been noted in red.

It is requested that a corrected Official Filing Receipt be issued in this application.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 10/11/06

By: Richard A. Gollhofer  
Richard A. Gollhofer  
Registration No. 31,106

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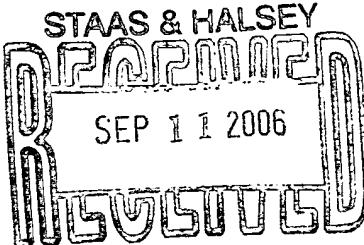


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/557,612	11/22/2005	2618	900	1454.1650	--	16	3

Staas & Halsey  
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 1201 New York Avenue N W  
 Washington, DC 20005



STAAS &amp; HALSEY

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REGULUS

CONFIRMATION NO. 4518

## FILING RECEIPT



\*OC000000020299168\*

Date Mailed: 09/05/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

-- BÖTZOW, --

Also -- Jörg Gustrau, Berlin, Germany --

Volker Breuer, Bötzow, GERMANY;

Frederic Charpentier, Berlin, GERMANY;

-- Carsten Müller-Schwanke,

-- Charpentier, --

München, Germany --

## Power of Attorney:

Richard Gollhofer-31106

Assignee: -- Siemens Aktiengesellschaft, Munich, Germany --

-- The patent practitioners associated with Customer number 21171 --

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/50717 05/05/2004

## Foreign Applications

GERMANY 10323191.9 05/22/2003

If Required, Foreign Filing License Granted: 09/02/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/557,612**

Projected Publication Date: 12/14/2006

Non-Publication Request: No

Early Publication Request: No

**Title**

Method for operating a mobile radio telephone system, mobile radio telephone system and base station

**Preliminary Class**

455

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**NOT GRANTED**

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Please Date Stamp and return

OCT 11 2006  
PTO-150  
U.S. PATENT & TRADEMARK OFFICE

PCT Transmittal; Fee Transmitter; German Published Application; English Translation; 1 sheet of Formal Drawings (Fig. 1); Assignment w/ PTO-150; Declaration; Preliminary Amendment; Substitute Specification and Marked-Up Specification; Information Disclosure Statement with PTO-1449 (10 references); Attachment 1(g) with copy of English Search Report; Written Opinion; Written Opinion Supplementary Sheet; Check For \$1,040.00.

APPLICANT(S): Volker BREUER et al.

SERIAL NO: Unassigned

CONFIRMATION NO. Unassigned

TITLE: METHOD FOR OPERATING A MOBILE RADIO TELEPHONE SYSTEM, MOBILE RADIO TELEPHONE SYSTEM AND BASE STATION

FILING DATE: (Concurrently)

DOCKET NO: 1454.1650/RAG:nc

DUE DATE: November 22, 2005



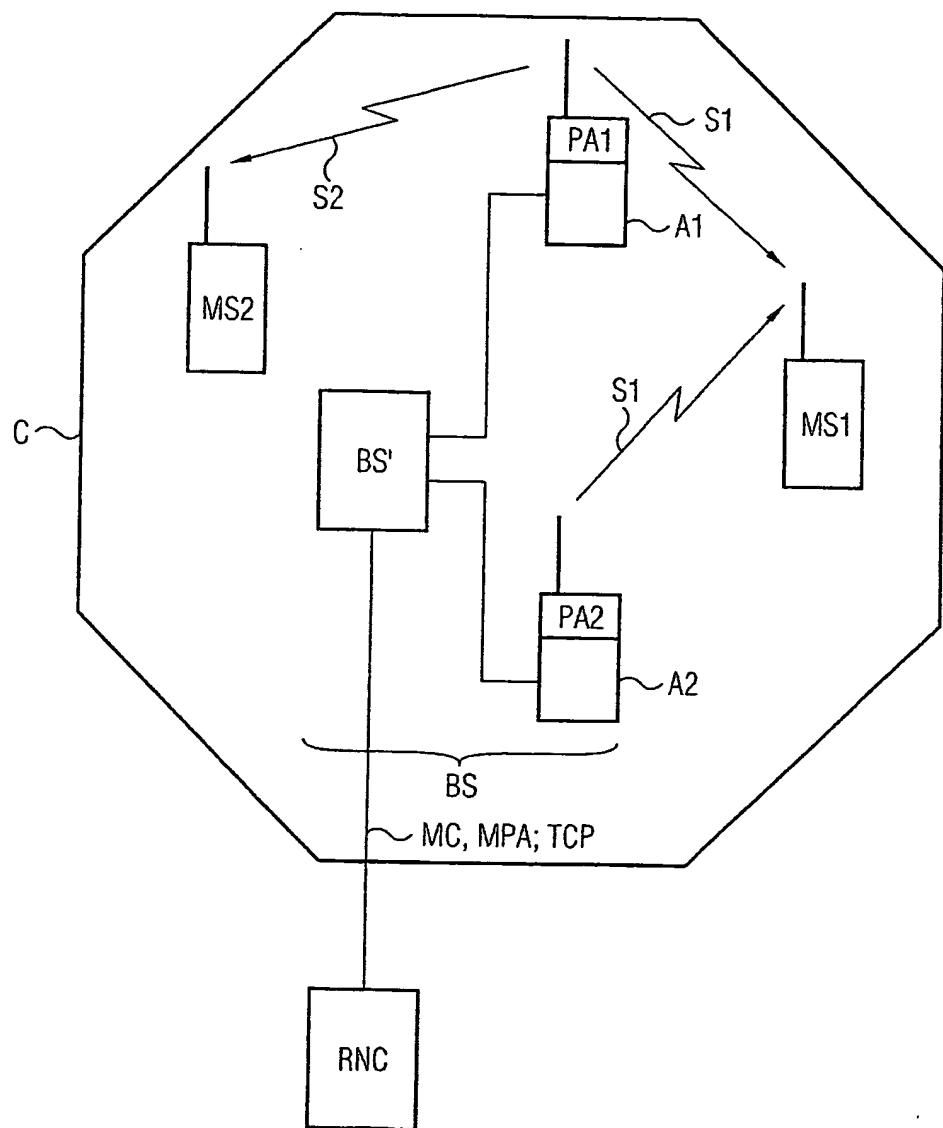
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OCT 11 2005  
1454.1650  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
PRIORITY DATE

S&H Form: FORM PTO-1390 (9/05)

ATTORNEY'S DOCKET NUMBER  
1454.1650

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

TRANSMISSION LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE  
PCT/EP2004/050717 5 May 2004

PRIORITY DATE CLAIMED  
22 May 2003

TITLE OF INVENTION

METHOD FOR OPERATING A MOBILE RADIO TELEPHONE SYSTEM, MOBILE RADIO TELEPHONE SYSTEM AND BASE STATION

APPLICANT(S) FOR DO/EO/US

Volker BREUER et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification, including a marked-up copy.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18.  A copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information: Written Report of the Int'l Search Authority; English translation of Written Opinion Supplementary Sheet



# ASSIGNMENT

For good and valuable consideration, I/we, the undersigned

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Herzogstr. 126  
80796 München  
GERMANY

residing at:

residing at:

residing at:

residing at:

hereby sell, assign, and transfer to

**Siemens Aktiengesellschaft**

a German corporation organized and existing under the laws of the Federal Republic of Germany, having its principal place of business in München, GERMANY herein the "Assignee", its successors, assigns and legal representatives the entire and exclusive right, title and interest in and for the United States, in all and to any improvements in the

(Title) **Verfahren zum Betrieb eines Mobilfunksystems, Mobilfunksystem und Basisstation**

disclosed in the PCT international application for Letters Patent designating the United States, said application being identified in our records as

Applicants File No. 2003P07519WOUS  
and filed as PCT-application PCT/EP2004/050717

and in and to said application and all divisional, continuing substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States on said improvements:

hereby agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name and that when requested without charge to but at the expense of said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this agreement, the undersigned will execute all divisional, continuing substitute, renewal, reissue and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and legal representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or legal representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements in said Assignee, its successors, assigns, and legal representatives; and hereby covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed had been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 1.11.05

Volker Breuer

*C. Fan*

Witnesses: CHANGPEIUS FAN  
(type name)

Volker Breuer

*C. Fan*

Witnesses: M. Hiedemann  
(type name) *Martina Hiedemann*

Date: \_\_\_\_\_

Frederic Charpentier

Witnesses: \_\_\_\_\_  
(type name)

Witnesses: \_\_\_\_\_  
(type name)

Date: 31.10.05

J. Gustrau

Witnesses: Uwe Schramm  
(type name)

Witnesses: Mirko Schramm  
(type name)

*J. Krause*

*Joern Krause*

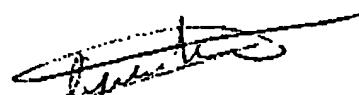
hereby agree that said Assignee may apply for and receive a Patent for said improvements in its own name and that when requested without charge to but at the expense of said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this agreement, the undersigned will execute all divisional, continuing substitute, renewal, reissue and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and legal representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or legal representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements in said Assignee, its successors, assigns, and legal representatives; and hereby covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed had been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: \_\_\_\_\_

Volker Breuer

Witnesses: \_\_\_\_\_  
(type name)

Witnesses: \_\_\_\_\_  
(type name)



Date: 28.10.05

Frederic Charpentier

Witnesses: NICOLA MEYER  
(type name)

Witnesses: CHRISTIAN TEUWSSEN  
(type name)

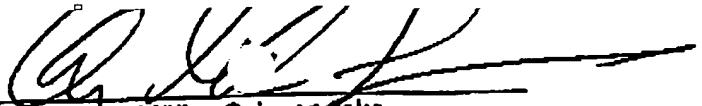
Date: \_\_\_\_\_

Jörg Gustrau

Witnesses: \_\_\_\_\_  
(type name)

Witnesses: \_\_\_\_\_  
(type name)

Date: 27.10.2005

  
Dr. Carsten Möller-Schwaneke  
(*Maria Lauer*)

Witnesses: *Seum*

(type name)

Witnesses: *Thomas Roth*

(type name) *Thomas Roth*

Date: \_\_\_\_\_

\_\_\_\_\_

Witnesses: \_\_\_\_\_

(type name)

Witnesses: \_\_\_\_\_

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Witnesses: \_\_\_\_\_

(type name)

COPY



**Declaration and Power of Attorney For Patent Application**  
**Erklärung Für Patentanmeldungen 't Vollmacht**  
German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit  
en Eides Statt:

dass mein Wohnsitz, meine Postanschrift, und meine  
Staatsangehörigkeit den im Nachstehenden nach  
meinem Namen aufgeführten Angaben entsprechen,  
dass ich, nach bestem Wissen der ursprüngliche, erste  
und alleinige Erfinder (falls nachstehend nur ein Name  
angegeben ist) oder ein ursprünglicher, erster und  
Miterfinder (falls nachstehend mehrere Namen  
aufgeführt sind) des Gegenstandes bin, für den dieser  
Antrag gestellt wird und für den ein Patent für die  
Erfindung mit dem Titel beantragt wird:

**Verfahren zum Betrieb eines  
Mobilfunksystems, Mobilfunksystem und  
Basisstation**

deren Beschreibung hier beigefügt ist, es sei denn (in  
diesem Falle Zutreffendes bitte ankreuzen), diese  
Erfindung

- wurde angemeldet am 05.05.2004 unter der  
US-Anmeldenummer oder unter der  
Internationalen Anmeldenummer im Rahmen  
des PCT-Vertrags PCT/EP2004/050717 und am  
\_\_\_\_\_ abgeändert (falls zutreffend).

Ich bestätige hiermit, dass ich den Inhalt der obigen  
Patentanmeldung einschliesslich der Ansprüche, die  
eventuell durch einen Zusatzantrag wie oben erwähnt  
abgeändert wurde, durchgesehen und verstanden  
habe.

Ich erkenne meine Pflicht zur Offenbarung jeglicher  
Informationen an, die zur Prüfung der Patentfähigkeit  
in Einklang mit Titel 37, Code of Federal Regulations,  
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Ich beanspruche hiermit ausländische Prioritätsvorteile  
gemäß Title 35, United States Code, § US-Code, §  
119 (a)-(d), bzw. § 365(b) aller unten aufgeführten  
Auslandsanmeldungen für Patente oder  
Erfinderurkunden, oder § 365(a) aller PCT  
internationalen Anmeldungen, welche wenigstens ein  
Land ausser den Vereinigten Staaten von Amerika  
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sämtliche Auslandsanmeldungen für Patente bzw.  
Erfinderurkunden oder PCT internationale  
Anmeldungen angegeben, deren Anmeldetag dem der  
Anmeldung, für welche Priorität beansprucht wird,  
vorangeht.

10MRC 2580 / V: 08-18-05 / B:  
Vcl

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are  
as stated below next to my name,

I believe I am the original, first and sole inventor (if only  
one name is listed below) or an original, first and joint  
inventor (if plural names are listed below) of the  
subject matter which is claimed and for which a patent  
is sought on the invention entitled

**Verfahren zum Betrieb eines  
Mobilfunksystems, Mobilfunksystem und  
Basisstation**

the specification of which is attached hereto unless the  
following box is checked:

- was filed on 05.05.2004  
as United States Application Number or PCT  
International Application Number  
PCT/EP2004/050717 and was amended on  
\_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the  
contents of the above identified specification, including  
the claims, as amended by any amendment referred to  
above.

I acknowledge the duty to disclose information which is  
material to patentability as defined in Title 37, Code of  
Federal Regulations, § 1.56.

I hereby claim foreign priority under Title 35, 119(a)-(d)  
or § 365(b) of any foreign application(s) for patent or  
inventor's certificate, or § 365(a) of any PCT  
international application which designated at least one  
country other than the United States, listed below and  
have also identified below, by checking the box, any  
foreign application for patent or inventor's certificate, or  
PCT international application having a filing date  
before that of the application on which priority is  
claimed.

### German Language Declaration

**Prior foreign applications**  
**Priorität beansprucht**

			<u>Priority Claimed</u>	
<u>10323191.9</u> (Number) (Nummer)	<u>DE</u> (Country) (Land)	<u>22.05.2003</u> (Day Month Year Filed) (Tag Monat Jahr eingereicht)	<input checked="" type="checkbox"/> Yes Ja	<input type="checkbox"/> No Nein
(Number) (Nummer)	(Country) (Land)	(Day Month Year Filed) (Tag Monat Jahr eingereicht)	<input type="checkbox"/> Yes Ja	<input type="checkbox"/> No Nein
(Number) (Nummer)	(Country) (Land)	(Day Month Year Filed) (Tag Monat Jahr eingereicht)	<input type="checkbox"/> Yes Ja	<input type="checkbox"/> No Nein
(Number) (Nummer)	(Country) (Land)	(Day Month Year Filed) (Tag Monat Jahr eingereicht)	<input type="checkbox"/> Yes Ja	<input type="checkbox"/> No Nein

Ich beanspruche hiermit die mir unter Title 35, US-Code, § 120 zustehenden Vorteile aller unten aufgeführten US-Patentanmeldungen bzw. § 365(c) aller PCT internationalen Anmeldungen, welche die Vereinigten Staaten von Amerika benennen, und erkenne, insofern der Gegenstand eines jeden früheren Anspruchs dieser Patentanmeldung nicht in einer US-Patentanmeldung, bzw. PCT internationalen Anmeldung in einer gemäß dem ersten Absatz von Title 35, US-Code, § 112 vorgeschriebenen Art und Weise offenbart wurde, meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.58 von Belang sind und die im Zeitraum zwischen dem Anmeldetag der früheren Patentanmeldung und dem nationalen oder im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) gültigen internationalen Anmeldetags bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.58 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>PCT/EP2004/050717</u> (Application Serial No.) (Anmeldeseriennummer)	<u>05.05.2004</u> (Filing Date D, M, Y) (Anmeldedatum T, M, J)	<u>anhängig</u> (Status) (patentiert, anhängig, aufgegeben)	<u>pending</u> (Status) (patented, pending, abandoned)
(Application Serial No.) (Anmeldeseriennummer)	(Filing Date D, M, Y) (Anmeldedatum T, M, J)	(Status) (patentiert, anhängig, aufgegeben)	(Status) (patented, pending, abandoned)

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**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

And I hereby appoint

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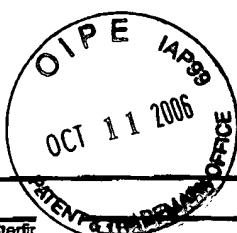
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<b>Jörg Gustrau</b> Unterschrift des Erfinders <i>J. Gustrau</i>		<b>Jörg Gustrau</b> Inventor's signature	Date
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,			
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,	,		
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,			
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Staatsangehörigkeit	Citizenship		
Postanschrift	Post Office Address		

(Bitte entsprechende Informationen und Unterschriften im Falle von dritten und weiteren Miterfindern angeben).

(Supply similar information and signature for third and subsequent joint inventors).